

APPROVED MARCH 13, 2002



**MINUTES
SCOTTSDALE PLANNING COMMISSION
KIVA – CITY HALL
3939 N. DRINKWATER BOULEVARD
FEBRUARY 27, 2002**

PRESENT: David Gulino, Chairman
Betty Drake, Commissioner
Margaret Dunn, Commissioner
Kay Henry, Commissioner
Tony Nelssen, Commissioner
Kevin Osterman, Commissioner

ABSENT: Chuck Lotzar, Vice Chairman

STAFF: Pat Boomsma
Jerry Stabley
Tim Curtis

CALL TO ORDER

The regular meeting of the Scottsdale Planning Commission was called to order by Chairman Gulino at 5:00 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

CHAIRMAN GULINO stated that at this time the Commission would like to pay their respects and show a moment of silence for Sergeant Hontz, who lost his life in the line of duty last week.

OPENING STATEMENT

COMMISSIONER OSTERMAN read the opening statement which describes the role of the Planning Commission and the procedures used in conducting this meeting.

MINUTES APPROVAL

1. February 13, 2002

COMMISSIONER DRAKE MADE A MOTION TO APPROVE THE FEBRUARY 13, 2002 MINUTES AS PRESENTED. SECONDED BY COMMISSIONER HENRY.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

There are not items on the expedited agenda.

REGULAR AGENDA

2. **1-GP-2002** (Hancock Homes) - request by Beus Gilbert PLLC, applicant, Estate of Linda Moore, owner, for General Plan amendment as follows:
 - 13+/- acres located at the northeast corner of the intersection of Frank Lloyd Wright Boulevard and Thunderbird Road: **From** Major Office (Category 32) **to** Residential 2-4 Dwelling Units per Acre (Category 14); and
 - 27+/- acres located at the northwest, southwest and southeast corners of Frank Lloyd Wright Boulevard and Thunderbird Road: **From** Residential 4-8 Dwelling Units per Acre (Category 15) **to** Residential 2-4 DUA (Category 14); and
 - Amend the Circulation Element of the General Plan: Remove the Minor Arterial street classification for the Thunderbird Road extension northeast of Frank Lloyd Wright Boulevard; and
3. **1-ZN-2002** (Hancock Homes) - 57+/- acres of the subject property located on all sides of the intersection of Frank Lloyd Wright Boulevard and Thunderbird Road: REZONE **from** Single Family Residential (R1-35) zoning **to** Single Family Residential (R1-10) zoning.

CHAIRMAN GULINO stated there are three citizen comment cards for the two items on the regular agenda. He further stated cases 1-GP-2002 and 1-ZN-2002 would be presented together.

MR. CURTIS presented cases 1-GP-2002 and 1-ZN-2002 as per the project coordination packet. Staff recommends approval of the General Plan amendments and the rezoning, subject to the attached stipulations.

COMMISSIONER NELSEN inquired if it has been stipulated that potential buyers would be notified about the lights in the ball fields at the school site. **MR. CURTIS** stated that stipulation is on page 2 of the stipulations as item 12(c).

COMMISSIONER DUNN stated there is not a connection from Thunderbird to 100th Street. She stated that even if this development had desired to connect Thunderbird to 100th Street it would have been impossible unless the road was realigned. She inquired how it happened that there are homes in the current alignment.

MR. BROWN of the Transportation Department stated that subdivision was approved a number of years ago within the alignment and he was not aware of the exact details of how that occurred.

COMMISSIONER DUNN stated her concern is that the City has eliminated a possible connection. She further stated she hates to see the City give up any type of circulation when the City needs to have improved circulation. She added she does not understand how the City would allow a subdivision to build homes in the alignment for roads. She further added the City should look into how this happened so that it does not happen again.

MR. BROWN stated somewhere in that time period the City relocated the freeway interchange which was suppose to be at Thunderbird on the Pima freeway and relocated it north to Raintree which does have a residential connection through to 100th Street. The argument could be made that the connectivity necessary for the freeway connection went away when the freeway was relocated from Thunderbird to Raintree.

COMMISSIONER GULINO stated there is a little piece of property between the projects eastern boundary and 100th Street that is zoned SR. He inquired if this deletion of Thunderbird would impact the access to that property. **MR. CURTIS** stated that if Chairman Gulino is referring to the northwest corner it would still be accessible on 100th Street.

JOHN BERRY, Beus Gilbert PLLC, 3200 N. Central Avenue, Suite 1000, Phoenix, AZ, legal counsel resenting the applicant, stated he would like to publicly thank the neighbors of this area who they have worked very closely with. He further stated that in-fill parcels are very difficult to work with. He reported that they have neighborhood support for this project. He further reported that they felt this is a great project and would add value to the neighborhood.

COMMISSIONER HENRY inquired if the 2.5-acre parcel that is not part of the plan and designated as open space if the zoning changes, could it potentially be converted to nine lots. **MR. BERRY** stated Stipulation No. 8 requires that the 2.5-acre parcel shall be designated an open space tract. Any proposed significant change to the use of this parcel shall be subject to subsequent public hearings before the Planning Commission and the City Council. He further stated due to the unusual shape of the parcel and the setbacks he is not sure if they would be able to develop it. He added their intention is to keep it as open space.

COMMISSIONER HENRY stated that, as a goodwill gesture to the neighborhood, the applicant might want to consider developing the 2.5-acre parcel as a park. She inquired whether they were going to do plantings on this parcel or leave it the way it is. **MR. BERRY** stated they would leave it in its natural state. He further stated at the northern end of the property off of Frank Lloyd Wright Boulevard due to the retention it would require them to vegetate that area. He added they would make that area available to the City to purchase as a small park site.

COMMISSIONER NELSEN inquired if the applicant had considered using that 2.5-acre parcel as a dog park. **MR. BERRY** reiterated they would make that area available to the City to purchase as a small park site.

CHAIRMAN GULINO stated there are three citizen comment cards for the two items on the agenda. He further stated that Dan Johnson has indicated that he does not wish to speak but is in favor of the project.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY)

ANNALEE KAUFER, 9811 E. Sutton, stated that she is in favor of this request and felt this property would be beneficial to the community. She further stated they are concerned about the transitioning on the 99th Street stub. She added they are concerned about 99th Street and wants to be sure it does not cut through because it would have a harmful effect on their neighborhood by bringing in a lot of unnecessary traffic.

MARK ORTEGA, 10011 E. Sheena Drive, stated that his primary concerns regarding the extension of Thunderbird Road have been addressed. He further stated he is concerned about the 60,000 square foot commercial office building that is proposed for the northeast corner. His concern is whether it is necessary to continue Thunderbird in some way to 100th Street to enable greater ingress and egress from that commercial site. He added that, other than that one issue, he supports this project. He is also in favor of the lower density subdivision because it will add to the resale value of their homes.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY)

CHAIRMAN GULINO inquired if the City has received an application for this property. **MR. HADDER** stated that the State Land Department currently owns this piece of land and it is currently zoned SR. He further stated to his knowledge he has not seen an application go through the State Land Department. **MR. BROWN** stated if this land were ever to be SR there are volumes of extra capacity on this road.

CHAIRMAN GULINO stated as they previously discussed, the deletion of Thunderbird would not impact the access to that property. **MR. BROWN** replied in the affirmative.

MR. BERRY stated he inquired if Mr. Ortega was in support of the removal of that segment from the General Plan and he replied he was. Mr. Berry further stated that the

99th Street stubbed property was a concern of the neighbors and as reflected in the stipulations on page three item D: With the Development Review Board submittal, the developer shall submit a design transitioning the 99th Way asphalt stub into the proposed open space at the south side of this property. As determined by the approved design, the developer shall be responsible for removal of the existing street connection (99th Way) at the southern property line.

COMMISSIONER HENRY stated she supports the case. She further stated that she felt the developer has worked with the neighbors, the plan looks excellent, and with the opportunity of the open space, perhaps it would become a small park or a dog park.

COMMISSIONER OSTERMAN stated he would support the comments made by Commissioner Henry. He further stated that he felt this project was a good fit for the area. He added the applicant has done the great job of working with the neighbors that they have come to expect. He stated he is in support of this case.

COMMISSIONER DRAKE stated she supports this case. She further stated it is refreshing when they put a lower density development in the middle of a somewhat higher density area.

COMMISSIONER DUNN MOVED TO FORWARD CASES 1-GP-2002 AND 1-ZN-2002 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. SECONDED BY COMMISSIONER OSTERMAN.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

WRITTEN COMMUNICATION

There was no written communication.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 5:35 p.m.

Respectfully Submitted,

"For the Record " Court Reporters